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HARYANA GOVERNMENT

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

Notification

The 19th January, 2021

(Policy for transfer of Government, Municipal Bodies & Gram Panchayat lands for public purpose.)

No. 563-ARIC-1-2020/48.—

1. Introduction.

- (i) At present, the cases of transfer of land from the Central Government to the State Government, State Government to the Central Government, one Department of the State Government to another Department and from State Government to other organizations like Municipal Bodies, Universities, Boards/ Corporations and Autonomous Bodies, etc., are being dealt under the provisions of Standing Order No. 28 of the Financial Commissioner, Revenue. However, some difficulties have been observed in dealing with transfer of such lands.
- (ii) Therefore, there is a need to provide a policy for transfer of land from the Central Government to the State Government, State Government to the Central Government, one Department of the State Government to another Department and from State Government to other organizations like Municipal Bodies, Universities, Boards Corporations, Autonomous Bodies, etc. The new policy would become part of Standing Order No. 28 of the Financial Commissioner, Revenue issued by the Revenue and Disaster Management Department.

2. Short title.

This policy may be called the “Policy for transfer of Government, Municipal Bodies & Gram Panchayat lands for public purpose”.

3. Objective.

To transfer of land from the Central Government to the State Government, State Government to the Central Government, one Department of the State Government to another Department and from State Government to other organizations like Municipal Bodies, Universities, Boards/ Corporations, Autonomous Bodies etc., for public purpose.

4. Procedure.

1. Transfer of Government land from one Government Department to another:

- i. The transfer of Government land between two Government departments shall be free of cost.
- ii. No approval of Council of Ministers (CMM) is required in case Government land belonging to one Department is to be transferred to another Department.

- iii. Prior approval of the Department to which the land belongs, shall have to be obtained by the acquiring Department by getting the case routed through Deputy Commissioner, who is in need of the land.
 - iv. Approval of the Chief Minister shall be obtained by the acquiring Department.
 - v. Prior concurrence of the Finance Department would not be required in case it is a transfer from one Department to another.
 - vi. After compliance of (iii), (iv) and (v) above, the acquiring Department will, send the case to O/o Financial Commissioner Revenue and Additional Chief Secretary & alongwith fards (copies) of latest Jamabandi, Aksa Shijra, Tatimas, Field Book, Khasra Girdawari and Mutations (both sanctioned as well as unsanctioned), regarding which remarks have been given in the latest Jamabandi, duly verified by the Patwari, Field Kanungo and Tehsildar concerned.
 - vii. It shall also be ensured that no court case, at any level, is pending in respect of the land in question. The transferring Department shall give an undertaking in this regard that no Court case is pending in respect of the land in question.
- 2. Transfer of Government Lands to various Government Boards and Corporations of the State:**
- i. The transfer of Govt. land shall be made at the collector rates fixed for registration of transfer/sale deeds.
 - ii. Prior approval of the Department to which the land belongs, shall have to be obtained by the acquiring Government Board/Corporation through its Administrative Department, who is in need of the land.
 - iii. The case shall be sent through Deputy Commissioner to the transferring department alongwith fards (copies) of latest Jamabandi, Aksa Shijra, Tatimas, Field Book, Khasra Girdawari and Mutations (both sanctioned as well as unsanctioned), regarding which remarks have been given in the latest Jamabandi, duly verified by the Patwari, Field Kanungo and Tehsildar concerned.
 - iv. Approval of the Chief Minister shall be obtained by the acquiring Board/Corporation through its Administrative Department.
 - v. The approval of Council of Ministers (CMM), is required in case Govt. Land belonging to one Department is to be transferred to a Board/Corporation of the State, by the transferring Department.
 - vi. Prior concurrence of the Revenue Department and Finance Department shall have to be obtained by the acquiring Board/Corporation through its Administrative Department.
 - vii. It shall also be ensured that no court case, at any level, is pending in respect of the land in question. The transferring Department shall give an undertaking in this regard that no Court case is pending against the land in question.
- 3. Transfer of Government land to Municipal Corporations/ Councils/Committees and Village Panchayats including Zila Parishad and Block Samities :**
- i. The transfer of Government land shall be made at the collector rates fixed for registration of transfer/sale deeds.
 - ii. Prior approval of the Department to which the land belongs, shall have to be obtained by the acquiring Municipal Corporations/ Councils/ Committees and Village Panchayats including Zila Parishad and Block Samities through the Directorate and the Administrative Department, which is in need of the land.
 - iii. The case shall be sent to the transferring department by getting it routed through Deputy Commissioner alongwith fards (copies) of latest Jamabandi, Aksa Shijra, Tatimas, Field Book, Khasra Girdawari and Mutations (both sanctioned as well as unsanctioned), regarding which remarks have been given in the latest Jamabandi, duly verified by the Patwari, Field Kanungo and Tehsildar concerned.
 - iv. Approval of the Chief Minister shall be obtained by the acquiring Municipal Corporations/ Councils/ Committees and Village Panchayats including Zila Parishad and Block Samities through the Directorate and Administrative Department.

- v. The approval of Council of Ministers (CMM), is required in case Municipal Corporations/ Councils/ Committees and Village Panchayats including Zila Parishad and Block Samities through the Directorate and Administrative Department, by the transferring Department.
- vi. Prior concurrence of the Revenue Department and Finance Department shall have to be obtained by the acquiring- Municipal Corporations/ Councils/ Committees and Village Panchayats including Zila Parishad and Block Samities through the Directorate and the Administrative Department.
- vii. It shall also be ensured that no court case, at any level, is pending in respect of the land in question. The transferring department shall give an undertaking in this regard that no Court case is pending against the land in question.

4. Transfer of Municipal Corporation/Council/Committee Land to Government Department :

The transfer of any immovable property of the Municipal Corporation by way of sale, lease or otherwise to a Government Department, shall be transferred at Collector rate, subject to the prior approval of the Government as provided in the Haryana Municipal Corporation Act, 1994.

The transfer of any immovable property of the Municipal Council/Committee by way of sale, lease or otherwise to a Government Department, shall be transferred as per rates recommended by the Deputy Commissioner but not below the Collector rate, subject to the prior approval of the Government as provided in the Haryana Municipal Act, 1973.

5. Transfer of Gram Panchayat Land to Government Department :

The transfer of any immovable property of the Gram Panchayats by way of sale, lease or otherwise to a Government Department, shall be transferred at the rate prescribed in the Punjab Village Common Lands (Regulation) Rules, 1964 or as provided in the policy framed there-under.

- 6. (i) In case, the transferring Department does not agree to the transfer, a committee headed by the Chief Secretary would examine the matter and place the proposal before the Council of Ministers after approval of Chief Minister.
- (ii) In case, land has to be transferred to the Union Government at rates less than the collector rate, a committee headed by the Chief Secretary would examine the matter and place the proposal before the Council of Ministers after approval of Chief Minister.

Chandigarh:
The 19th January, 2021.

SANJEEV KAUSHAL,
Financial Commissioner Revenue & Additional Chief Secretary
to Government Haryana, Revenue & Disaster Management Department.